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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/373,625	08/13/99	GRANGER	D 7791-0085-5

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**EXAMINER**

NGUYEN, N

ART UNIT	PAPER NUMBER
2764	8

**DATE MAILED:** 09/13/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No. <b>09/373,625</b>	Applicant(s) <b>Granger et al</b>
	Examiner <b>Nga B. Nguyen</b>	Group Art Unit <b>2764</b>

Responsive to communication(s) filed on Aug 13, 1999

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle* 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

#### Disposition of Claim

Claim(s) 1-64 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-64 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claims \_\_\_\_\_ are subject to restriction or election requirement.

#### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been

- received.
- received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

#### Attachment(s)

Notice of References Cited, PTO-892

Information Disclosure Statement(s), PTO-1449, Paper No(s). 3, 6, 7

Interview Summary, PTO-413

Notice of Draftsperson's Patent Drawing Review, PTO-948

Notice of Informal Patent Application, PTO-152

**-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --**

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## **DETAILED ACTION**

1. This Office Action is in response to the communication filed on August 13, 1999, which papers has been placed of record in the file.
2. Claims 1-64 are pending in this application.

### *Drawings*

3. The drawings are objected to because of the Draftsperson's notice, see form PTO-948 for detail. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 of this title before the invention thereof by the applicant for patent.

5. Claims 1, 3-7, 9-14, 17, 21-23, 27-29, 34-39, 43-45, 49-51, 53-57, and 59-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Cohen, U.S. Patent No. 6,060,993.

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Regarding to claim 1, Cohen discloses an in-vehicle promotions system installed in a vehicle, comprising:

a position receiver (figure 4, item 18);

a controller connected to receiver (figure 4);

a wireless communications device connected to controller (figure 4, item 26 and column 4, lines 27-36); and

a display adapted to be installed in vehicle and connected to controller (figure 4, item 14).

Regarding to claim 3, Cohen further discloses receiver comprises one of a GPS receiver and a Loran receiver (column 4, lines 42-46).

Regarding to claim 4, Cohen further discloses wireless communications system comprises one of a radio modem, a cellular modem and pager transceiver (column 4, lines 30-36).

Regarding to claim 5, Cohen further discloses a memory connected to controller having a lookup table linking a position of vehicle with a storage location of promotions information (column 4, lines 7-10).

Regarding to claim 6, Cohen further discloses means for updating memory (column 5, lines 1-3).

Regarding to claim 7, Cohen further discloses memory comprises a promotions information storage area (column 4, lines 37-43).

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Regarding to claim 9, Cohen further discloses receiver outputs a position of vehicle; and controller comprise means for retrieving promotions information based upon position of vehicle (column 4, lines 55-63).

Regarding to claim 10, Cohen further discloses means for storing information linking a zone with promotions information; and controller retrieving promotions information associated with zone based upon vehicle entering zone (column 5, lines 50-60).

Regarding to claim 11, Cohen further discloses means for storing information linking a zone proximate to a store with promotions information associated with the store (column 5, lines 50-52).

Regarding to claim 12, Cohen further discloses controller displaying promotions information associated with zone only after vehicle enters zone (column 5, lines 55-60).

Regarding to claim 13, Cohen further discloses means for storing information linking promotions information with a business entity (column 4, lines 37-46); and controller retrieving promotions information associated with business entity based upon a user request for information related to business entity (column 4, line 64-column 5, line 3).

Regarding to claim 14, Cohen further discloses means for storing information linking a zone with promotions information (column 5, lines 50-60); and controller retrieving promotions information associated with zone based upon a user request for information related to business entity (column 5, lines 50-60 and column 4, line 64-column 5, line 3).

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Regarding to claim 17, Cohen further discloses controller comprises means for logging activity related to display of promotions information (column 4, lines 47-53).

Regarding to claim 21, Cohen further discloses a host system wirelessly linked with wireless communication device, host system comprising: a second controller; a second wireless communication device connected to second controller; and a promotions information storage device connected to second controller (column 5, lines 30-37).

Regarding to claim 22, Cohen further discloses receiver is adapted to output a position of vehicle to controller; controller comprises means for retrieving promotions information from host system based upon position (column 5, lines 30-37).

Regarding to claim 23, Cohen further discloses a memory connected to controller storing information linking position and a storage location of corresponding promotions information; controller comprises means for automatically retrieving from host system updated information linking position and location of corresponding promotion information (column 5, lines 30-37).

Regarding to claim 27, Cohen further discloses means for storing at least one of position data corresponding to a position of a store with which promotions data is associated and identification data identifying store (column 4, lines 37-46).

Regarding to claim 28, Cohen further discloses means for retrieving promotions data based upon at least one of position data and identification data (column 4, lines 43-46).

Regarding to claim 29, Cohen discloses an in-vehicle promotions system installed in a vehicle, comprising:

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an RF receiver receiving transmitted promotions information (figure 4, item 18);  
a controller connected to receiver (figure 4);  
a display adapted to be installed in vehicle and connected to controller for displaying promotions information (figure 4, item 14) .

Regarding to claim 34, Cohen further discloses a host system which comprises: a second controller; an RF transmitter for transmitting promotions information to RF receiver; and a promotions information storage device connected to second controller (column 5, lines 30-37).

Regarding to claim 35, Cohen further discloses means for updating storage device (column 5, lines 35-36).

Regarding to claim 36, Cohen further discloses RF transmitter is located in a store and has a transmitting range proximate to store (column 5, lines 24-28 and 50-53).

Regarding to claim 37, Cohen further discloses RF receiver receiving promotions information upon vehicle entering range (column 4, lines 53-60).

Regarding to claim 38, Cohen further discloses promotions information is displayed in response to information provided by a user request (column 4, lines 64-column 5, line 3)

Regarding to claim 39, Cohen further discloses a wireless communications device installed in vehicle and connected to controller; a store system wirelessly linked with wireless communications device (see figure 4).

Regarding to claim 43, Cohen discloses a method of displaying promotions information in a vehicle, comprising:

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storing data corresponding to promotions information in vehicle (column 4, lines 37-43);

and

displaying data after vehicle comes within a defined proximity to a store with which promotions information is associated (column 4, lines 43-46).

Regarding to claim 44, Cohen further discloses updating data (column 5, lines 1-3).

Regarding to claim 45, Cohen further discloses storing data linking a position of vehicle with promotions information; monitoring position of vehicle; and displaying data corresponding to promotions information using data linking position and promotions information after position of vehicle is within defined proximity to store (column 4, lines 37-43).

Regarding to claim 49, Cohen further discloses defining a zone proximate to store; determining a position of vehicle; comparing position with zone; and determining whether to display data based upon comparison (column 5, lines 50-60).

Regarding to claim 50, Cohen further discloses monitoring a position of vehicle using one of a GPS system and a Loran system (column 4, lines 43-46).

Regarding to claim 51, Cohen further discloses transmitting data from store, and receiving data in vehicle (column 5, lines 25-28).

Regarding to claim 53, Cohen further discloses transmitting data from a host system; and receiving data in vehicle (column 5, lines 37-43).

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Regarding to claim 54, Cohen further discloses using data stored in vehicle for a predetermined period of time; and updating data with updated data transmitted from host (column 4, line 60-column 5, line 3).

Regarding to claim 55, Cohen further discloses automatically updating data with updated data (column 4, line 60-column 5, line 3).

Regarding to claim 56, Cohen further discloses storing at least one of position data relating to a position of store and identification data identifying store; displaying data corresponding to promotions information based upon at least one of position data and identification data (column 4, lines 53-60).

Regarding to claim 57, Cohen further discloses retrieving dat a corresponding to promotions information based upon at least one of position data and identification data (column 4, lines 43-46).

Regarding to claim 59, Cohen discloses a method of displaying promotions information in a vehicle, comprising:

storing data corresponding to promotions information in vehicle (column 4, lines 60-63); associating promotions information with a store (column 4, lines 37-43); and displaying data based upon user request for information concerning store (column 4, lines 43-46 and column 4, line 64-column 5, line 3).

Regarding to claim 60, Cohen discloses a method of distributing promotions information, comprising:

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forming a database of promotions information of at least one store (column 4, lines 60-63); wirelessly distributing data corresponding to promotions information to a vehicle (column 3, lines 37-43); and displaying data after vehicle comes within a defined range of store (column 4, lines 43-46).

Regarding to claim 61, Cohen further discloses displaying data only after vehicle comes within a defined range of store (column 5, lines 44-60).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 8,15-16, 18-20, 24-26, 30-33, 40-42, 46-48, 52, and 62-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen, U.S. Patent No. 6,060,993 in view of Malackowski et al, U.S. Patent No. 5,867,780.

Regarding to claim 2, Cohen does not disclose a printer connected to controller.

Malackowski discloses a printer connected to controller (figure 5, item 218). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include a printer connected to controller with Cohen's for the purpose of allowing the user to print out the promotional messages such as coupons.

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Regarding to claim 8, Malackowski further discloses display comprises touch command areas for controlling display and printing of promotions information displayed on display (column 14, lines 28-33). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include a touch screen display with Cohen's for the purpose of providing more convenient to the user when using touch screen input instead of keypad input.

Regarding to claims 15-16, Malackowski further discloses display displays promotions information including coupon information and means for activating printing of coupon information using printer (column 9, lines 19-23). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include those feature above with Cohen's for the purpose of providing coupon information to the user and allowing the user prints out such coupon information.

Regarding to claim 18, Cohen discloses a store system wirelessly linked with wireless communications device, store system comprising: a second wireless communications device; a store controller connected to second wireless communications device (column 5, lines 24-28); Malackowski discloses store controller providing automatic promotional benefits to identified persons (column 9, lines 19-23). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of providing promotional benefits to the user.

Regarding to claim 19, Malackowski discloses controller contains personal identification information identifying one or more persons associated with vehicle (column 9, lines 37-50);

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controller is adapted to communicated personal identification information to store controller (column 10, lines 3-16); and store controller is adapted to provide automatic promotional benefits to one or more persons (column 9, lines 19-23). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of identifying the user associated with vehicle in order to provide the user promotional benefit based on the user's identity.

Regarding to claim 20, Cohen further discloses controller is further adapted to communicate to store controller an indication of promotion displayed on display (column 4, lines 37-46).

Regarding to claim 24, Cohen further discloses a store controller in communication with second controller (column 5, lines 30-37), Malackowski discloses store controller provides automatic promotional benefit to identified persons (column 9, lines 19-23). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of identifying the user associated with vehicle in order to provide promotional benefit to the user.

Regarding to claim 25, Malackowski discloses controller contains personal identification information identifying one or more persons associated with vehicle (column 9, lines 37-50); controller is adapted to communicated personal identification information to store controller (column 10, lines 3-16); and store controller is adapted to provide automatic promotional benefits to one or more persons (column 9, lines 19-23). Therefore, it would have been obvious to one

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with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of identifying the user associated with vehicle in order to provide the user promotional benefit based on the user's identity.

Regarding to claim 26, Cohen further discloses controller further communicates to store controller an indication of promotion displayed on display (column 4, lines 37-46)..

Regarding to claims 30-33, Malackowski further discloses a printer connected to controller; display comprises touch command areas for controlling display and printing of promotions information including coupon information displayed on display; and display includes means for activating printing of coupon information using printer (figure 5, item 218 and column 14, lines 28-33). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of providing coupon information to the user and allowing the user prints out such coupon information, and providing more convenient to the user when using touch screen input instead of keypad input.

Regarding to claim 40, Cohen further discloses store system comprises: a second wireless controller (column 5, lines 10-14), Malackowski discloses a store controller which provides automatic promotional benefits to identified persons (column 9, lines 19-23). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of providing promotional benefits to the user.

Regarding to claim 41, Malackowski further discloses storing personal identification information of one or more persons associated with vehicle (column 9, lines 37-50);

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communication to store personal identification information and identification of data after data is displayed (column 10, lines 3-16); and providing to one or more persons an automatic promotional benefit corresponding to data (column 9, lines 19-23). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of identifying the user associated with vehicle in order to provide the user promotional benefit based on the user's identity.

Regarding to claim 42, Cohen controller further communicates to store controller an indication of promotion displayed on display (column 4, lines 37-46).

Regarding to claims 46-48, Malackowski further discloses printing data including coupon information in vehicle. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of allowing the user to print out the coupons information in vehicle.

Regarding to claim 52, Malackowski further discloses storing personal identification information of one or more persons associated with vehicle (column 9, lines 37-50); communication to store personal identification information and identification of data after data is displayed (column 10, lines 3-16); and providing to one or more persons an automatic promotional benefit corresponding to data (column 9, lines 19-23). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of identifying the user associated with vehicle in order to provide the user promotional benefit based on the user's identity.

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Regarding to claims 62-63, Malackowski discloses printing data comprises coupon data corresponding to promotions information. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of allowing the user to print out the coupons information in vehicle.

Regarding to claim 64, Malackowski further discloses storing personal identification information of one or more persons associated with vehicle (column 9, lines 37-50); communication to store personal identification information and identification of data after data is displayed (column 10, lines 3-16); and providing to one or more persons an automatic promotional benefit corresponding to data (column 9, lines 19-23). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature with Cohen's for the purpose of identifying the user associated with vehicle in order to provide the user promotional benefit based on the user's identity.

8. Claim 58 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen, U.S. Patent No. 6,060,993 in view of Brohoff, U.S. Patent No. 6,108,533.

Regarding to claim 58, Cohen discloses a method of displaying promotions information in a vehicle, comprising:

storing data corresponding to promotions information in vehicle (column 4, lines 60-63); associating promotion information with a store and the location of store (column 4, lines 37-43);

Cohen does not disclose the steps that Brohoff discloses below:

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accepting a user request for a geographical range of interest (column 2, lines 17-42); and displaying data based upon location of store falling with geographical range of interest (column 5, line 66-column 6, line 27).

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include Brohoff's features as described above with Cohen's for the purpose of displaying data concerned about a store based on the geographical range requested by the user.

***Conclusion***

9. Claims 1-64 are rejected.
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nga B. Nguyen, whose telephone number is (703) 306-2901.

The examiner can normally be reached on Monday-Friday from 7:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell, can be reached on (703)305-9768.

11. **Any response to this action should be mail to:**

Commissioner of Patents and Trademarks

c/o Technology Center 2700

Washington, D.C. 20231

**or faxed to:**

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(703) 308-9051, (for formal communications intended for entry)

or:

(703) 308-5397 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington.  
VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Group receptionist whose telephone number is (703)305-3900.

Nga B. Nguyen  
August 29, 2000

James P. Trammell  
Supervisory Patent Examiner  
Technology Center 2700